



Thursday, 27 February 2025

Report of Councillor Philip Knowles,
Cabinet Member for Corporate
Governance and Licensing

Amendments to the Council's Constitution

Report Author

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Purpose of Report

To approve proposed changes to the Council's Constitution, recommended by the Governance and Audit Committee on 13 February 2025.

Recommendations

Full Council is recommended to approve the following amendments to the Constitution:

- 1. Article 7 (Leader) at Part 2 (Articles) be amended to reflect the requirement for the submission of a Notice of Motion for the Council to approve a resolution to remove the Leader of the Council from office, as set out at paragraph 3.3 of the report.**
- 2. Council Procedure Rules at Part 4 (Rules of Procedure) be amended to provide greater clarity regarding amendments and their relevance to an original motion, as set out at paragraph 3.7 of the report.**

Decision Information

Does the report contain any exempt or confidential information not for publication? **No**

What are the relevant corporate priorities? **Effective council**

Which wards are impacted? **(All Wards)**

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no financial or procurement implications arising from this report.

Completed by: Richard Wyles, Deputy Chief Executive and Section 151 Officer

Legal and Governance

1.2 There are no significant legal or governance implications arising from this report which are not already included within the body of the report.

Completed by: Graham Watts, Monitoring Officer

2. Background to the Report

2.1. Full Council is asked to consider for approval a number of amendments to the Constitution which aim to improve openness and transparency and the quality of decision-making associated with meetings of the Council.

3. Key Considerations

Removal of the Leader of the Council

3.1 Article 7.3 (Leader) of the Council's Constitution currently states that:

3.2 *"The Leader will be a Councillor elected to the position of Leader by Full Council and will hold the office for a four-year term, unless:*

- i) They resign from office*
- ii) They are no longer a Councillor*
- iii) Full Council passes a resolution to remove the Leader from office"*

3.3 It is proposed that paragraph iii) be amended to read:

"A Notice of Motion is submitted and Full Council passes a resolution to remove the Leader from office".

Amendments to motions

- 3.4 Paragraph 14 (Rules of Debate) of Council Procedure Rules outline the procedures that must be followed when debating motions at meetings of the Council.
- 3.5 Paragraphs 14.6 – 14.12 of Council Procedure Rules set out the procedures associated with amendments to motions.
- 3.6 Paragraph 14.6 of Council Procedure Rules state the following:

“An amendment to a motion must be relevant to the motion and will either be:

- (a) *To refer the matter to an appropriate body or individual for consideration*
- (b) *To leave out words*
- (c) *To leave out words and insert or add others*
- (d) *To insert or add words*

As long as the effect of (b) to (d) does not negate the motion.”

- 3.7 It is proposed that the word ‘original’ be added prior to the word ‘motion’ on two occasions so that paragraph 14.6 reads:

“An amendment to a motion must be relevant to the original motion and will either be:

- (a) ***To refer the matter to an appropriate body or individual for consideration***
- (b) ***To leave out words***
- (c) ***To leave out words and insert or add others***
- (d) ***To insert or add words***

As long as the effect of (b) to (d) does not negate the original motion.”

4. Other Options Considered

- 4.1 To make no changes to the Council’s Constitution
- 4.2 To suggest any further amendments to the Council’s Constitution.

5. Reasons for the Recommendations

- 5.1 The proposed amendments to the Council’s Constitution seek to improve the openness, transparency and efficiency of the Council’s proceedings at its public meetings.

6. Consultation

- 6.1 The Governance and Audit Committee considered this report at its meeting on 13 February 2025 and agreed to formally recommend the amendments set out in the report to Full Council for approval.
- 6.2 The Committee considered a further proposed amendment to the Constitution at its meeting which sought to introduce a requirement to provide advanced notice of significant amendments to motions. During consideration of this matter at the meeting the proposition was withdrawn.